

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JOHN GRACE, individually and on behalf  
of all others similarly situated,

Plaintiffs,

v.

J.P. MORGAN CHASE & CO.,  
J.P. MORGAN CLEARING CORP.,  
J.P. MORGAN SECURITIES LLC and  
JOHN DOES 1-25,

Defendants.

Case No. 1:20-cv-04523

**STIPULATION AND [PROPOSED] ORDER ADJOURNING  
DEFENDANTS' TIME TO RESPOND TO PLAINTIFF'S COMPLAINT**

Plaintiff John Grace and Defendants J.P. Morgan Chase & Co., J.P. Morgan Clearing Corp. and J.P. Morgan Securities LLC (collectively, “J.P. Morgan”), by and through their respective undersigned counsel, subject to this Court’s approval, and to the reservation of rights identified below, agree and stipulate as follows:

**RECITALS**

WHEREAS, Plaintiff commenced the above action in this District by the filing of a summons and complaint on June 12, 2020;

WHEREAS, J.P. Morgan accepted service of the complaint in this action on June 22, 2020;

WHEREAS, the parties have agreed to adjourn J.P. Morgan’s time to answer or otherwise respond to the complaint;

WHEREAS, three actions substantially similar to the above action have been filed, one in this Court under the caption *Breakwater Trading LLC v. JPMorgan Chase & Co.*, No. 1:20-cv-

03515 (S.D.N.Y.) (“*Breakwater*”), and two in the United States District Court for the North District of Illinois under the captions *Proctor v. JPMorgan Chase & Co.*, No. 20-cv-2666 (N.D. Ill.) (“*Proctor*”), and *Robert Charles Class A, L.P. v. JPMorgan Chase & Co.*, No. 20-cv-2666 (N.D. Ill.) (“*Robert Charles*”);

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED as follows:

1. J.P. Morgan’s time to answer or otherwise respond to the complaint is hereby adjourned *sine die*, unless a date is set for J.P. Morgan to respond to the *Breakwater*, *Proctor* and/or *Robert Charles* complaints, or a complaint in any other action arising from the same transactions and events as this action, in which case its deadline to answer or otherwise respond to the complaint in this action shall be the earliest due date(s) in such other action(s).

2. Except as to the defense of insufficiency of service of process in this action, no defense of J.P. Morgan, including, without limitation, defenses based upon lack of personal jurisdiction, is prejudiced or waived by J.P. Morgan’s executing, agreeing to, or filing this Stipulation.

3. This Stipulation may be executed in separate counterparts, and counterparts may be executed in facsimile form, each of which shall be an original.

Date: June 24, 2020

FINE, KAPLAN AND BLACK, R.P.C.

/s/ *Adam Pessin*  
\_\_\_\_\_  
Adam J. Pessin  
1 S. Broad St., 23<sup>rd</sup> Floor  
Philadelphia, PA 19107  
Telephone: (215) 567-6565  
Email: apessin@finekaplan.com

*Counsel for Plaintiff John Grace*

SULLIVAN & CROMWELL LLP

/s/ Amanda Flug Davidoff

Amanda Flug Davidoff  
1700 New York Avenue, N.W., Suite 700  
Washington, D.C. 20006-5215  
Telephone: (202) 956-7500  
Email: davidoffa@sullcrom.com

*Counsel for Defendants J.P. Morgan  
Chase & Co., J.P. Morgan Clearing Corp.  
and J.P. Morgan Securities LLC*

**SO ORDERED.**

DATED:

---

New York, NY

---

HON.  
United States District Judge